

REMARKS

Claims 1-7 and 34-40 are pending. By this Amendment, claims 1, and 34 are amended and claims 29-32 are cancelled without prejudice or disclaimer. No new matter is added.

Claim 1 is amended to correct minor informalities. Claims 1 and 34 are amended to clarify a claim term.

Applicants thank the Examiner for the indication on page 4, item 8 of the Office Action that claims 1-7 are allowed, although the indication is confusing in view of the rejection of claims 1-7 under 35 U.S.C. §112, second paragraph. It is assumed that claims 1-7 recite allowable subject matter. Applicant thank the Examiner for the indication on page 4, item 9 of the Office Action that claims 34-40 recite allowable subject matter.

Applicants thank Examiner Dinh for the courtesies extended to Applicants' representative during a brief telephone interview on January 23, 2008. The points discussed are incorporated into the remarks below, which constitute the Applicants' record of the interview.

For the following reasons, reconsideration is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §112:

On page 2, item 4 of the Office Action, claims 1-7 and 34-40 are rejected under 35 U.S.C. §112, second paragraph, as indefinite.

The Applicants respectfully submit that the term "other than" clearly refers to the second track pitch not being the first track pitch. Accordingly, the plain meaning of the term "other than" and the phrase using the term "other than" is clear.

During the telephone interview, it was discussed that amending claims 1 and 34 to recite "different from" would overcome the rejection. Accordingly, to expedite prosecution, claims 1 and 34 are amended to obviate the rejection. Withdrawal of the rejection of claims 1-7 and 34-40 is respectfully requested.

Additionally, it is stated on page 2, item 4 of the Office Action that a recitation of a "specific pattern" renders claims 31 and 32 indefinite. The rejection is moot as claims 31 and 32 are cancelled without prejudice or disclaimer.

REJECTION UNDER 35 U.S.C. §102:

On page 3, item 6 of the Office Action, claims 29-32 are rejected under 35 U.S.C. §102(e) as being anticipated by Iida et al. (U.S. Patent No. 7,164,633). The rejection as to the cancelled claims 29-32 is moot.

Withdrawal of the rejection is respectfully requested.

ALLOWABLE SUBJECT MATTER:

On page 4, item 8 of the Office Action, claims 1-7 are indicated as allowed.

On page 4, item 9 of the Office Action, claims 34-40 are indicated as reciting allowable subject matter.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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Date: 3/26/2008

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